

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION



UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Criminal Action No.
) 12-00133-01-CR-W-HFS
CHARLES DANIEL KOSS,)
)
Defendant.)

ORDER

Before the Court is the Government's Motion to Compel Handwriting Exemplars (Doc. No. 7). Defendant was given until May 15, 2012 to respond to this motion but elected not to do so.

The Government requests that Defendant "provide true and exact exemplars of his handwriting to the United States Treasury Inspector General for Tax Administration (TIGTA) and its representatives" (Doc. No. 7). The Government maintains that Defendant's handwriting exemplars are relevant and necessary for the prosecution of this case, as Defendant is charged with passing with intent to defraud a false or fictitious instrument that appears to be an actual security or other financial instrument, and mail fraud. The Government's evidence includes a "Registered Private Money Order," and other written documents with handwriting, which the Government alleges Defendant authored in violation of 18 U.S.C. § 514.

A criminal defendant has no right to refuse to provide handwriting exemplars. United States v. Mara, 410 U.S. 19, 21-22 (1973); United States v. Brown, 156 F.3d 813, 815 (8th Cir. 1998); United States v. McDougal, 137 F.3d 547, 559 (8th Cir. 1998); Palmer v. United States, 530 F.2d 787, 789 (8th Cir. 1976); United States v. Osborne, 482 F.2d 1354, 1355 (8th Cir. 1973).

Accordingly, it is

ORDERED that the Government's motion is granted. It is further
ORDERED that a hearing is set for 10:00 a.m. on Thursday, June 7, 2012, for Defendant to
provide such exemplars.

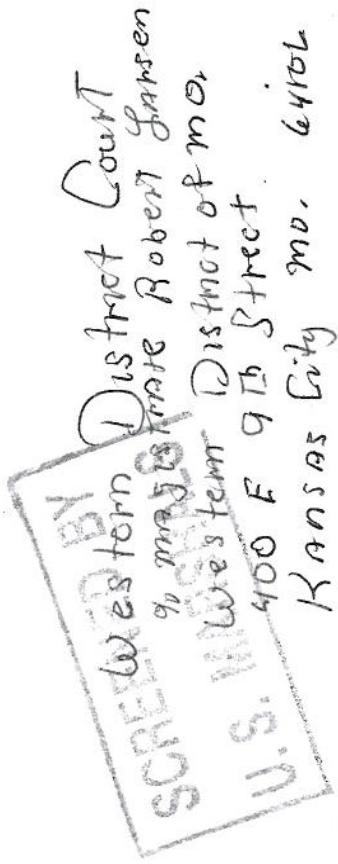
Kansas City, Missouri
May 30, 2012

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Charles (Chuck) Daniels (second party)
of the Ross Family
% Beauchamp Detention Center



U.S. GOVERNMENT PROPERTY



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